IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17579 of 2004

Between:

V. Sammaiah, S/o. Ramulu,
R/o. 2-126, Vaddera Colony, Near Canara Bank, Madikonda (M),
Hanamkonda, Warangal District.

..... PETITIONER

AND

1 The District Collector and District Election @ Authority, Warangal.
2 The District Co-op. Officer and Co-operative Registrar, Warangal.
3 The Co-op. Sub-Registrar and Election Officer, Mettu Rama Swamy Waddera Stone Cutter Labour Contract Co-operative Society, Madikonda (M), Hanumakonda, Warangal District.
4 P. Narsing Rao, S/o. Mankaiah, R/o. Vaddera Colony, Beside Canara Bank, Madikonda (M), Hanumakonda, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declare the Election of the Mettu Ramaswamy Waddera Stone Cutter Labour Contract Co-op., Society Ltd., Madikonda Election conducted by the respondent No. 3 is illegal and against rules of the Society and thereby cancel the election held on 9-9-2004 by the respondent No. 3 is illegal, contrary to the law unjust and biased one and thereby ordered to conduct the election a fresh by the other independent authority by the respondent No. 1.

Counsel for the Petitioner : MR. JOGRAM TEJAVAT

Counsel for the Respondents : GP FOR COOPERATION

The Court made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.17579 OF 2004

ORAL ORDER :

In view of the alternative remedy available under Section 61(3) of the A.P. Co-operative Societies Act, 1964, this writ petition is not maintainable.

Accordingly, Writ Petition is disposed of granting leave and liberty to the petitioner to work out the appropriate remedy as available under the Statute. No costs.

29th September, 2004.

Gbs

To

1 The District Collector and District Election @ Authority, Warangal.
2 The District Co-op. Officer and Co-operative Registrar, Warangal.
3 The Co-op. Sub-Registrar and Election Officer, Mettu Rama Swamy Waddera Stone Cutter Labour Contract Co-operative Society, Madikonda (M), Hanumakonda, Warangal District.

4.2CCs to G.P. for Cooperation, High Court of AP Bldgs, Hyderabad (OUT).

5.2CD copies